



*Governor's Office of Planning and Budget
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Utah Advisory Council on Intergovernmental Relations

*Ken Bassett, Chair
Commissioner Patrick Cone, First Vice Chair
Senator Millie Peterson, Second Vice Chair*

*Mark Bedel, Executive Director
John Bennett, Assistant Director
Sylvia Haro, Executive Secretary*

MINUTES

April 27, 2001

10:00 a.m.

Room 223, State Capitol

Members in attendance:

Ken Bassett, Chair, Vernal City Manager
Chad Bennion, Representative
Ted Boyer, Dept. of Commerce Director
Chesley Christensen, Mt. Pleasant Mayor
Margaret Dayton, Representative
Linda Hamilton, South Ogden City Manager
Robert Haywood, Dept. of Human Services
Ty McCartney, Representative
Linda Ogden, Utah School Board Association Pres.
Carol Page, Davis County Commissioner
Millie Peterson, 2nd Vice Chair, Senator
Richard Walker for Dick Bradford, DCED
James Whitaker, Dept. of Workforce Services
Ann Wilcox-Hardy, Citizen Appointee
Max Young, Representative

Staff in attendance:

Mark Bedel, GOPB
John Bennett, GOPB
Sylvia Haro, GOPB

Members excused/absent:

Janice Auger, Taylorsville City Mayor
Lois Bulloch, Iron County Commissioner
Patrick Cone, Vice Chair, Summit Co. Commissioner
Palmer DePaulis, Tax Commission Commissioner
Randy Horiuchi, Salt Lake City Council
Peter Knudson, Senator
John Quick, Dept. of Transportation

Guests in attendance:

Bob Linnell, Governor's Office
Sara McCormick, Center for Public Policy Adm.
Emery Polelonema, Six County AOG

I. Welcome and Introductions

Mr. Ken Bassett, UACIR chair, called the meeting to order at 10:00 a.m. Chairman Bassett welcomed all those in attendance and introduced Max Young as a new member of UACIR. He also introduced Richard Walker who was attending on behalf Dick Bradford of the Department of Community and Economic Development. Members excused: Mayor Janice Auger, Commissioners Lois Bulloch, Patrick Cone, and Palmer DePaulis.

II. Letter to Governor on Tax Study

John Bennett explained that a copy of the draft letter to Governor Michael Leavitt was included in the packet sent out to UACIR members. The letter is in response to a request made to UACIR by the Governor to study internet commerce sales tax and its impact on local revenues. Ann Wilcox-Hardy suggested changing the sentence stating that we are not the best group to conduct this comprehensive review. The Governor had the confidence to ask us to review and we should let him

know that we did do a lot of work on the issue and it resulted into the bill that was proposed to the Legislature. Rep. Chad Bennion recommended deleting that sentence and for the next sentence to be “we recommended that a Task Force be established to undertake this assignment.

MOTION: Carol Page made a motion to approve the letter to the Governor on remote sales tax with minor changes described above. Linda Hamilton seconded the motion. The motion was unanimously approved.

III. Approval of Minutes

Representative Chad Bennion wanted the minutes of the meeting from March 23, 2001 to reflect that he was not in the room while the Task Force on taxation issue was discussed, and also he asked that the minutes include a statement that UACIR did not take a position on one bill or another, it supported a Task Force being established to look at the tax system and government revenues. UACIR did not oppose the bill that was passed.

MOTION: Chad Bennion made a motion to approve the minutes from March 23, 2001 with the above mentioned amendments. Linda Hamilton seconded the motion. The motion was unanimously approved.

IV. UACIR Bylaws and Statute

Mark Bedel announced that all the appointments have been made at this point. However, one of the appointments was for James Gowans, who isn't eligible for reappointments as he served on UACIR the maximum term of eight years according to statute. Another appointment from Speaker Stephens is still pending.

Senator Millie Peterson suggested there seems to be a problem with members attendance to UACIR meetings and noticed that almost half of the body isn't present at the meeting, and feels that the quorum issue needs to be looked at. Chairman Bassett mentioned possibly looking at incentives/punishment to encourage regular attendance to the meetings. Linda Ogden stated that she had mentioned in the past when meetings were being scheduled that she had a conflict with many of the Friday meetings, and suggested changing the day of the meetings. Chairman Bassett stated that the statute provide for cabinet members to send a designee to the meetings, however, there is nothing in the bylaws to provide for other members (local governments/Senate/House) to have a designee attend meetings the appointee cannot attend.

MOTION: Millie Peterson made a motion that if a UACIR member misses two consecutive un-excused meetings that the Chairman send them a letter and ask if there is an issue with the times or dates, etc., and perhaps recommend that they either resign their position and have someone else appointed or offer assistance to get them to the meeting. Chad Bennion seconded the motion. The motion was unanimously approved.

MOTION: Millie Peterson made a motion for Senator Millie Peterson to open a bill file that indicate that a quorum will represent half plus one of the currently

appointed members to UACIR. Carol Page seconded the motion.

AMENDED

MOTION: Mayor Chesley Christensen offered an amendment to the motion. He proposed that a quorum be 50% of the appointed members. Millie Peterson accepted the amendment to her motion. The amended motion was unanimously approved.

V. Taxation Task Force Update

Rep. Chad Bennion reported that the Taxation Task Force Interim Committee meeting is going to have its first meeting on **May 4, 2001, 8:00 a.m. to 12:00 p.m., in Room 405 of the State Capitol.** Members of the Government Revenue and Tax System Task Force are: Rep Greg J. Curtis, Chair, and Senator John L. Valentine, co-chair, Sen. Ron Allen, Rep. Eli Anderson, Rep. Chad Bennion, Rep. Cindy Beshear, Sen. Curtis Bramble, Rep. Judy Ann Buffmire, Rep. Craig Butters, Sen. Gene Davis, Rep. Kevin Garn, Sen. Scott Jenkins, and staff is William Asplund. The Interim Committee meetings are public and posted on the Utah State Legislature website. Chairman Bassett would like some of the interest groups, such as the ULCT and UAC, and others be given an invitation or notified of the meetings. Rep. Max Young requested a copy of the bill. John Bennett indicated he will include the enrolled copy of HB 86 in the next packet. Rep. Bennion will give an update at the next meeting. He also pointed out that the bill requires the task force chairs to report to UACIR at specified times. The UACIR website will also be updated to include information or link to information on the Task Force Interim Committee.

VI. 2001 Work Plan

Mark Bedel referred to a draft work plan included in the packet and to documents from the Office of Legislative Research of all the study items assigned to the various committees. The items that were crossed indicate items not approved.

John Bennett stated that many of the members submitted items for consideration by UACIR as study items. Detailed information was included in the memorandum included in the packet that was mailed out prior to the meeting. Some of the topics submitted were:

- Affordable housing
- Development, conservation and financing of water resources
- Energy conservation and development
- Tax related issues without duplication efforts from the Task Force
- Providing high-speed, broad-band services to rural Utah
- Census and redistricting
- Identity fraud
- Impacts on HB 90 and SB 68 on local governments
- State projects and land use ordinances, especially SITLA developments
- Unfunded mandates by the state government
- Pay of employees at senior citizens centers in rural Utah
- Roadless areas in Forest Service lands

- Wilderness study areas
- Repeal of BLM Mining Regulations passed by the Clinton Administration

Additional items mentioned at the meeting were: Annexation and incorporation of townships, transportation, residential facilities for the disabled, and properties that are split between two different counties.

Chairman Bassett indicated that the UACIR staff made some recommendations on items to study, which included three different categories. One would be items requiring in depth study and another group of items requiring a more limited study, and the third group needing some study. Chairman Bassett asked for suggestions on how to prioritize these study items submitted by UACIR members.

Rep. Margaret Dayton recommended for each member to prioritize the list and submit to staff for tabulation. Sen. Peterson suggested choosing one or two major issues to focus on throughout the year.

MOTION: Chesley Christensen made a motion that the major topics of study for UACIR to be development, conservation and financing of water resources and energy conservation and development, and jurisdictional boundary issues. Chad Bennion seconded the motion. The motion passed by a majority vote with one opposition.

Rep. Young expressed opposition to the motion. He believes it isolates the opportunities in the other areas of recommendations and puts them in secondary position. One issue of great concern is the high speed communications in rural Utah and the need for attention to this issue.

Chairman Bassett made a clarification that in addition to the major topics being recommended during the course of each meeting's agenda we would incorporate other items that have been listed that do not require as much study as the three major topics. Rep. Bennion indicated that in the Public Utilities and Technology Interim Committee one of the items that they will be discussing further is the telecommunications issues and the impacts since the 1995 act and also the federal act in 1996. Ted Boyer stated that broadband issue is high on the Governor's agenda. The state CIO, Phil Windley, is working full time on that particular issue, but this issue is more of a private enterprise issue. James Whitaker indicated that the broadband issue seems to be moving forward by the various groups.

Ann Wilcox-Hardy asked what UACIR's goal pertaining to the items suggested, are they just for discussion, bills, recommendation to committees that are studying the same items. Chairman Bassett indicated that depending on the items, and some of this items might produce legislation, others might produce better policy making, we could make recommendations to ULCT, UAC, or departments of state, that would be determined at a later time what our impact could be.

Mr. Bennett said that even if you set your priorities now, but they could be changed later based on information received.

MOTION: Millie Peterson made a motion to include the issue of census redistricting for discussion at least one of the UACIR meetings. Ann Wilcox-Hardy seconded the motion.

Rep. Bennion indicated that by him serving on the Redistricting and Reapportionment Committee and the with the potential for litigation that surrounds redistricting, he would have to recuse himself from any discussion relating to the redistricting topic in future UACIR meetings. It is anticipated that a special session will be held sometime in September/October to deal with this issue. The Committee will be meeting throughout the Summer and will also be traveling out to communities to get input. Rep. Bennion requested that the motion be divided into two separate discussions, 1) census count, and 2) redistricting.

AMENDED

MOTION: Millie Peterson made a motion for the inclusion of the census as the discussion item for future UACIR agendas. Ann Wilcox-Hardy seconded the motion. The motion passed unanimously.

MOTION: Millie Peterson made a motion for the inclusion of the redistricting as the discussion item after the conclusion of litigation pertaining to this matter. Max Young seconded the motion. The motion passed by a majority vote, with two opposition votes.

Ms. Hardy suggested scheduling this discussion after the conclusion of this case, and having someone from the Redistricting and Reapportionment Committee make a report to UACIR. Senator Peterson supported this recommendation. Rep. Bennion recommended posting or linking information pertaining to redistricting on UACIR website.

MOTION: Linda Ogden made a motion to include the highspeed broadband services to rural as a discussion item at the next meeting. Max Young seconded the motion. The motion was unanimously approved.

Chairman Bassett suggested inviting Rural Telecommunications providers. Rep. Bennion suggested for staff to contact Nancy Gibb with Utah Rural Telecom Association.

Sen. Peterson asked the staff to put a list of all of the items. Mr. Bennett indicated the staff could send out a list by e-mail or fax and have the members rank them. They would than be tabulated and presented at future meetings.

VII. 2001 Intergovernmental Summit Planning

Mr. Bennett reported that the Summit Planning Committee has met twice to plan for the Intergovernmental Summit. The dates being considered are August 9, 10, 24, and 30. The basic topic is Who's Turf is it Anyway and discuss relationships between various entities and how they cooperate and also how they don't cooperate and why in terms of local governments. The specific issues we talked about today were economic development relating to tax policy, housing, and energy. This meeting we focused on issues relating census, incorporation, the sharing of municipal services

why it's a good idea and why its resisted and incentives. The topic being where there are areas for cooperation and where cities and counties do their own thing.

Please notify the staff of any possible conflicts with other major meetings or conferences. Rep. Bennion indicated there would be a conflict with the Reapportionment Committee on August 9th.

The next Summit Planning Committee was scheduled on May 7, 2001, at 8:30 a.m., Room 127 of the State Capitol.

VIII. Next Meeting/Adjournment

DATE: Friday, May 18, 2001
TIME: 10:00 a.m.
PLACE: Room 223 - State Capitol
Salt Lake City

Meeting Adjourned at 12:05 p.m.

Minutes prepared by: Sylvia Haro

This and all other UACIR information is available on GOPB's web site
www.governor.state.ut.us/uacir